

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
03-CR-87A

ANTHONY DEVONSHIRE,

Defendant.

Defendant Anthony Devonshire's motion, pursuant to Rule 35(a) Of the Federal Rules of Criminal Procedure, to correct his sentence imposed by this Court on November 1, 2005 is hereby denied, because: (1) the motion was not granted within seven (7) days of sentencing and the Court therefore lacks jurisdiction to grant the motion; and (2) the sentence did not result from arithmetical, technical or other clear error as required under Rule 35(a).

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: November 23 , 2005